

MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL  
CITY OF BEE CAVE  
February 25, 2014

STATE OF TEXAS       §

COUNTY OF TRAVIS    §

**Present:**

Caroline Murphy, Mayor  
Steve Braasch, Mayor Pro Tem  
Zelda Auslander, Council Member  
Michelle Bliss, Council member  
Bill Goodwin, Council Member  
Kara King, Council Member

**City Staff:**

Frank Salvato, City Manager  
Travis Askey, Assistant City Manager  
Patty Akers, City Attorney  
Kaylynn Holloway, City Secretary  
Katherine Griffin, Director of Finance  
Russell Pancoast, Police Chief  
Stephen Myrick, Building Official  
Starr Davey, City Planner  
Giancarlo Patino, City Engineer  
Barbara Hathaway, Library Director

**Call to Order and Announce a Quorum is Present**

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, February 25, 2014 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

**Pledge of Allegiance**

**Citizen Comments**

Library Director Barbara Hathaway invited everyone to the Dr. Seuss event on Saturday at the Library. She also introduced the President of the Friends of the Library.

Geeta Balakrishnan, President of the Friends of the Library, talked about the library and the book club. She asked that other members of the group stand and introduce themselves.

Teresa Breuggeman of the Police Benevolent Foundation reminded everyone about the gala on March 21<sup>st</sup> to raise money for the Foundation.

**Consent Agenda.**

- A. Consider approval of minutes of the Regular meeting conducted on February 11, 2014.
- B. Consider approval of the monthly financial and investment reports. (January)

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member King, to approve the consent agenda.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on the Gateway to Falconhead exception request to Section 30.03.010 (a) Stormwater Collection and Conveyance Systems – Systems Design Requirements of the City of Bee Cave Code of Ordinances to exempt the project from detention requirements for developed stormwater runoff discharging into the Little Barton Creek Tributary.**

City Engineer Giancarlo Patino presented this item.

The City Council had numerous questions and expressed their concern over the detention requirements and policy enforcement.

Jason Rodger, Project Engineer for Garrett-Ihnen Civil Engineers, spoke about the exception request and the runoff in Little Barton Creek.

Kenneth Satterlee, the Developer, also spoke on this item and finally asked the Council to postpone this item until a better presentation and explanation could be provided.

**Executive Session:**

The City Council closed the Open Session at 6:49 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held on the above item and identified the section of the Open Meeting Law under which the meeting would be held.

Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551.071 - Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may adjourn into the Conference Room for the executive session.

The City Council closed the Executive Session at 7:25 p.m. and reconvened in Regular Session in the Council Chambers.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem Braasch, to postpone this item until the next meeting.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on lowering the speed limit in Ladera Subdivision including installation of signs.**

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member King, to approve the lowering of the speed limit in the Ladera Subdivision including installation of signs.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on maintenance bond time limits for road repairs.**

Council Member Goodwin presented this item. He requested that the Council develop a standard for bond maintenance requirements for road repairs and stick with it.

Council Member Auslander stated that they should look at residential roads versus public roads.

Derek Naiser of LNV Engineering also spoke on this item.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Bliss, to authorize staff to prepare an ordinance to amend Chapter 16 requiring a two-year maintenance bond for construction in the right-of-way.

The Council continued their discussion of this item.

Mayor Pro Tem Braasch called for the question to cease debate of this item.

The vote was taken on the “call for the question” with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

Mayor Murphy called for a vote on the motion.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: Council Member Auslander  
Absent: None

The motion 5-1.

**Discuss and consider action on amending the West Travis County Public Utility Agency maintenance agreement from 5 years to 2 years for the 12 inch Wastewater Force Main and 12 inch Effluent Force Main Extension Project including reducing the paving repair from full width (two driving lanes) to one driving lane.**

Don Rauschuber, General Manager of the West Travis County Public Utility Agency, asked the Council to go back to the original plans which is to resurface only a 12 foot lane and a two-year maintenance bond. He stated that the construction contracts have already been approved for the project and they would have to provide change orders which would delay the project.

The City Council asked numerous questions about the integrity of the road and the future maintenance.

**MOTION:** A motion was made by Mayor Pro Tem Braasch, seconded by Council Member Auslander, to approve the two-year maintenance bond, the diagrams as presented will be attached to the right-of-way permit, the paving of only the 12-foot lane with a chip seal and hot mix overlay and the city will be named as the co-insured.

Carrell Killebrew, 5410 Great Divide, asked if the City had looked at all the options regarding cutting the road.

Mr. Salvato responded yes that the Staff had looked at all of the options.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on renewing the depository agreement with Wells Fargo Bank and including opening a commercial savings account.**

Finance Director Katie Griffin presented this item.

**MOTION:** A motion was made by Council Member King, seconded by Council Member Goodwin, to approve the renewal of the depository agreement and the opening of a commercial savings account.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider participation in a community public safety event on texting and driving.**

Council Member Bliss asked that the City support the public safety event which will be held in April at one of the spring concerts in the Hill Country Galleria.

**MOTION:** A motion was made by Council Member King, seconded by Council Member Auslander, to support the community public safety event on texting and driving.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on the budget calendar for FY 2014-15.**

Mrs. Griffin presented this item.

No action was taken on this item.

**Discussion and final review of the comprehensive plan community survey questions.**

The City Council reviewed the survey questions and made changes.

John Colman, 5201 Great Divide, also made some suggestions for the Council to consider.

**Discuss and consider action on a possible change order for additional services from Pro-Forma Architects related to the City Hall/Library space planning.**

Mr. Salvato presented this item.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member King, to approve the change order in an amount not to exceed \$5,000 for additional services from Pro-Forma Architects.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on the appointment of a member to the Planning and Zoning Commission, Position 6.**

Mayor Murphy recommended Jaime Beaman as her nomination for Position 6.

**MOTION:** A motion was made by Mayor Murphy, seconded by Council Member Auslander, to appoint Jaime Beaman to Position 6 of the Planning and Zoning Commission.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Executive Session:**

The City Council closed the Open Session at 9:11 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551-072 – Deliberation regarding real property; and Section 551.071 - Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may adjourn into the Conference Room for the executive session.

- A. Consultation with Attorney regarding Groundwater District litigation with Texas Commission on Environmental Quality.
- B. Consultation with Attorney regarding exchange of real property for economic development.
- C. Consultation with Attorney regarding acquisition of park and trail easements.
- D. Consultation with Attorney regarding authority of City to extend its extraterritorial jurisdiction.

The City Council closed the Executive Session at 10:15 p.m. and reconvened in Regular Session in the Council Chambers.

**Adjournment**

**MOTION:** A motion was made by Mayor Murphy, seconded by Mayor Pro Tem Braasch, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander,  
Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

The City Council adjourned the meeting at 10:15 p.m.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
Caroline Murphy, Mayor

ATTEST:

\_\_\_\_\_  
Kaylynn Holloway, City Secretary